



W.P.(MD)No.2939 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD)No.2939 of 2025

and

W.M.P(MD)No.2061 of 2025

K.Velmani

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,  
Tamil Nadu Natural Resources Department,  
Fort St. George,  
Chennai.

2.The Commissioner,  
Department of Geology and Mining,  
Guindy Industrial Estate,  
Guindy, Chennai-600 032.

3.The District Collector,  
District Collector Office,  
Thoothukudi District.

4.The Assistant Director of Geology and Mining,  
Collectorate Building,  
Thoothukudi.



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5.The Revenue Divisional Officer,  
Thoothukudi Division,  
Thoothukudi District.

6.The Superintendent of Police,  
Thoothukudi District.

7.The Tahsildar,  
Srivaikundam Taluk,  
Thoothukudi District.

...Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the petitioner's representation dated 28.10.2024 and direct the respondents herein to take immediate steps to prevent illegal extraction of sand by sand mafias in the tanks located in and around Srivaikundam Kaspas on the guise of agricultural operations within a specific time frame as fixed by this Court.

For Petitioner : Mr.W.Pamelin  
For R1 to R5 & R7: Mr.P.Thilak Kumar  
Government Pleader  
For R6 : Mr.T.Senthil Kumar  
Additional Public Prosecutor

### **ORDER**

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ of Mandamus has been instituted to direct the respondents herein to take immediate steps to prevent illegal extraction of sand by sand mafias



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in the tanks located in and around Srivaikundam Kaspas on the guise of agricultural operations.

2. The learned Government Pleader appearing for the respondents 1 to 5 & 7, on instructions, would submit that the license period expired for sand quarrying in the pond. The operations had come to an end in November, 2024. As on today, there is no mining operations. More so, the pond is filled with water and there is no possibility of mining. Be that as it may, the license cannot be granted in violations of the rules. The District Collector, Tuticorin has also filed a counter stating as follows:-

*"9. It is respectfully submitted that, the subject area kaspas tank of Srivaikundam is filled up with water and stably maintained it the month of from November, 2024. Due to the presence of stagnant water no permissions for removal of clay and silt were granted November 2024 to farmers & potters of Srivaikundam Taluk under Rule 12(2) (a) of Tamil Nadu Minor Mineral Concession Rules, 1959. Moreover, due to the strict surveillance of the enforcement authorities, specified in G.O.(Ms) No.170/Ind (MMC2) Dept dated 05.08.2020 the illegal quarrying, transportation and storage of minerals are well under control and restrained. The dual actions taken on the offenders viz., levying penalty and initiating criminal actions as per the above*



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*indicated government order yielded good results in curbing illegal quarrying and transportation of minerals. Hectic efforts are being made to eradicate and declare the district Thoothukudi as free from illegal quarrying, transportation and storage of minerals."*

3. The Inspector of Police, Srivaikundam has filed a report stating that the illegal mining of Savudu sand was noticed and following criminal cases are registered against several persons.

| Sl.No. | Station      | Cr.No.   | Section of Law                              | Stage |
|--------|--------------|----------|---------------------------------------------|-------|
| 1.     | Srivaikundam | 42/2024  | 379 IPC & 21(5) MMDR Act                    | UI    |
| 2.     | Srivaikundam | 59/2024  | 379 IPC & 21(5) MMDR Act                    | UI    |
| 3.     | Srivaikundam | 165/2024 | 303(2) BNS & 21(5) MMDR Act                 | UI    |
| 4.     | Srivaikundam | 255/2024 | 303(2) BNS & 21(5) MMDR Act                 | UI    |
| 5.     | Srivaikundam | 275/2024 | 303(2) BNS                                  | UI    |
| 6.     | Srivaikundam | 356/2024 | 336(3), 340(2), 303(2) BNS & 21(4) MMDR Act | UI    |
| 7.     | Srivaikundam | 384/2024 | 296(b), 132, 303(2) BNS & 21(4) MMDR Act    | NTF   |
| 8.     | Srivaikundam | 02/2025  | 303(2) BNS & 21(f) MMDR Act                 | NTF   |
| 9.     | Srivaikundam | 54/2025  | 303(2) BNS & 21(4) MMDR Act                 | UI    |
| 10.    | Srivaikundam | 261/2025 | 303(2) BNS & 21(4) MMDR Act                 | UI    |



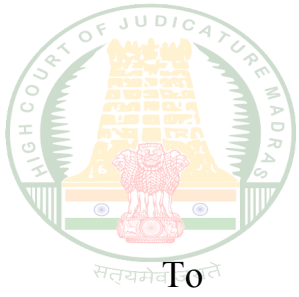
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4. As of now, the police authorities are monitoring the activities and preventing any such illegal mining of Savudu sand in that locality. The Inspector of Police, Srivaikundam Police has stated that he ensure that whenever theft of sand is brought to the notice of the police, stringent action will be taken in accordance with law to protect the natural resources.

5. In view of the above said submissions and counter affidavit of the District Collector, Tuticorin, the present writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**(S.M.S., J.) & (A.D.M.C., J.)**  
**06.08.2025**

NCC : Yes / No  
Index : Yes / No  
am



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**S.M.SUBRAMANIAM, J.**  
**AND**  
**DR.A.D.MARIA CLETE, J.**  
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